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NONJUDICIAL PUNISHMENT & ADMINISTRATIVE DISCHARGES

ARTICLE 15 ACTIONS

During August 2014, DM commanders administered five non-judicial punishment actions under Article 15 of the UCMJ. The punishments imposed reflect the commander's determination of an appropriate punishment after considering the circumstances of the offense(s) and the offender's record. A "suspended" punishment does not take effect unless the offender engages in additional misconduct or fails to satisfy the conditions of the suspension. The suspension period usually lasts no longer than six months.

Dereliction of Duty/Willful - A Staff Sergeant received a reduction to Senior Airman and a reprimand.

Dereliction of Duty/Willful (x2) and False Official Statement (x2) - A Master Sergeant received a reduction to Technical Sergeant and a reprimand.

Dereliction of Duty/Willful (x2) - A Lieutenant Colonel received forfeiture of \$750.00 pay per month for two months and a reprimand.

Dereliction of Duty/Willful and False Official Statement - A Staff Sergeant received 45 days extra duty (suspended) and a reprimand.

Wrongful Use of Marijuana - A Senior Airman received a reduction to Airman First Class, forfeiture of \$1,017.00 pay per month for two months (suspended) and 45 days extra duty.

ARTICLE 15 PROCESSING GOAL

60% Compliant in August 2014

The Air Force goal is to process 80% of all non-judicial punishment actions within 30 calendar days.

ADMINISTRATIVE DISCHARGES

During August 2014, DM commanders processed five enlisted administrative discharges. Four cases were notification (not board entitled) cases and one case was a board entitled case. The processing time goals for administrative discharges according to AFI 36-3208, Table 6.4, are: 15 duty days from date of discovery for notification cases, 50 duty days for board cases, and 25 duty days for board waiver cases.

Notification Cases: 4

Drug Abuse - 1
Misconduct - 3

Board Cases: 1

Misconduct - 1

DISCHARGE PROCESSING GOAL

Notification Cases:

100% Compliant in August 2014

Board Cases:

0% Compliant in August 2014

DUIs at DM

	2013	2014
355 MXG	9	11
355 MSG	3	5
355 FW	1	1
355 MDG	0	0
355 OG	0	1
12 AF	4	2
TENANTS	18	4
DMAFB	35	24

Year to date as of 31 August 2014

Military Justice POCs

Courts/Investigations

Capt Jasmine Candelario (228-3166)
SSgt Libertyann Kehr (228-4550)
SrA Diego Bermudez (228-1397)

Adverse Actions (Art. 15)

Capt Jasmine Candelario (228-3166)
SSgt Phillip Webb (228-6437)
A1C Leo Tanja (228-3689)

Discharges/Demotions

Capt Nelson Faerber (228-3162)
Ms. Janice Meindl (228-3168)

After Hours On-Call JAG

Contact Command Post at 228-7400

Area Defense Counsel

Capt Christie Jones
Capt Jenny Liabenow
TSgt Sarah Swift (228-5664)

Limited Privilege Suicide Prevention Program

Purpose: Commanders who have concerns that a member under their command who is facing disciplinary action may be at risk of suicide, can refer the member to the mental health clinic for a mental health evaluation (MHE). The objective of the program is to identify and treat those members who pose a genuine risk of suicide by providing limited confidentiality with respect to their discussions with a mental health provider (MHP).

Eligible Members: The Limited Privilege Suicide Prevention (LPSP) Program applies to those military members who have been officially notified (written or oral) that they are under investigation or suspected of violating the UCMJ.

Duration: The limited protection offered by this program lasts only so long as the MHP believes there is a continuing risk of suicide. The MHP must notify the commander when the member no longer poses a risk of suicide. The limited protection offered under the program ends at that time.

Limited Protection: Members in the program are granted limited protection with respect to the information revealed during or generated by their clinical relationship with the MHP. Any such information may not be used in any existing or future UCMJ action or when weighing the characterization of the member's service in a separation.



Does not apply to:



- ⇒ The use of the information as evidence for impeachment or rebuttal purposes in any proceeding in which the information generated by and during the LPSP relationship was first introduced by the member concerned.
- ⇒ Disciplinary or other action based on independently derived evidence.
- ⇒ Any information gathered by the MHP or other provider prior to placement in the program or after release from the program (except for later created summaries/documents which pertain to treatment under the LPSP Program).

References: Mil. R. Evid. 513, DODD 6490.1, *Mental Health Evaluations of Members of the Armed Forces* (1 October 1997), Certified Current (24 November 2003), AFI 44-109, *Mental Health, Confidentiality, and Military Law* (1 March 2000), Certified Current (20 September 2010)

COURTS-MARTIAL AT DAVIS-MONTHAN AFB

Staff Sergeant Matthew L. Lee - 355 SFS, was tried by General Court-Martial on 21 May and from 5 –7 August 2014. He was charged with dereliction of duty (UPR) x2 , maltreatment x5, sexual assault x3, and conduct prejudicial to GO&D in violation of Articles 92, 93, 120 and 134, UCMJ. He was found guilty of maltreatment x2 and assault/battery x2 as LIO to sexual assault. SSgt Lee was sentenced by a military judge to a bad conduct discharge, 40 days confinement and reduction to E-3.

All courts-martial are open to the public. Visit our USAF Public Docket website at <http://www.afjag.af.mil/docket/index.asp>. View sexual assault convictions by the Air Force at <http://www.afjag.af.mil/shared/media/document/AFD-130917-061.pdf>